

DETAILED ACTION

Current Status

1. Claims 1-9 are pending in the application.

Election/Restrictions

Applicant's election of claims 1-9, drawn to a phosphorylcholine group-containing chemical compound represented by formula (1); wherein the variable R is formula 3 in the reply filed on 3/17/2010 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Claim Objection

Claim 1 and 2 are objected to because the claims contain the non-elected subject matter. Also, claim 2, page 3, line 4 from the bottom, erroneously contains a period (.) between 1-4 and X₁. Appropriate corrections are required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 5-8 are indefinite because it is not clear if the modified powder, chromatography packing, modified filter and glass experimental device comprise the compound of general formula 1. In other words, it is unclear whether the treatment step recited in the claims must result in incorporation of the surface modifier into the structure of the treated powder or whether the powder might be modified in some other way. If the former is intended, it is recommended that the phrase "treated with" be replaced with "comprising". Appropriate corrections are required.

Allowable Subject Matter

Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chukwuma O. Nwaonicha whose telephone number is 571-272-2908. The examiner can normally be reached on Monday thru Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Daniel M Sullivan/

Supervisory Patent Examiner, Art Unit 1621